

Garden City Field Office 2508 Johns Street Garden City, Kansas 67846-2804

Jackie McClaskey. Secretary David W. Barfield. Chief Engineer Michael A. Meyer. Water Commissioner Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

October 25, 2016

SHAFER FAMILY FARMS LLC PO BOX 7602 HORSESHOE BAY TX 78657-7602

RE: Change in Point of Diversion Water Right, File No 23104

Dear Mr. Shafer:

Enclosed you will find a Summary Order Approving Application for Change in Point of Diversion for the above referenced file. This order modifies the authorized well location under the referenced file. This order modifies the original document; it should be recorded at the County Register of Deeds.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this order. The diversion works should be completed and reported to the Division of Water Resources by December 31, 2017. Enclosed is a form for this purpose, along with other information for reference.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report.

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed *Certificate of Service*.

Should you have any questions, please feel free to call this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Thomas P. Makens

Assistant Water Commissioner

TPM:tpm Enclosures GMD#3

CERTIFICATE OF SERVICE

On this Z6⁺⁺⁻⁻ day of October 2016, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 23104 dated October 25, 2016 was mailed postage prepaid, first class, US mail to the following:

SHAFER FAMILY FARMS LLC PO BOX 7602 HORSESHOE BAY TX 78657-7602

Copy provided to GMD#3

Division of Water Resources

Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended. Fee Schedule is on the third page of this application form.

than	agraph N 1 100 fee nt(s) of div	t, or if	place ·	of use	will b	e char	eted. nged,	Comp	lete al e a top	l l othe pograp	r appli hic ma	icable ap or o	portion detaile	ons. I d plat	f chan showi	ge in p ng the	autho RE	f divers orized a CEIV 330	
						F	File No	. <u>2310</u>)4					•				147	
	Application					□Р	lace o	f Use		\boxtimes	Point	of Dive	ersion			Divi	sion of	Water	eld Office Resources
	The sour		_		, 1110 0		Ground				Surfac				. .	· · · · · · · · · · · · · · · · · · ·	~		
	Name and PO BOX Phone Norme and PO BOX	7602 I lumber: nd addre	HORSI (ess of '	ESHOI) Water	E BAY Use C	Orresp	8657-7 onden	7602 nt: <u>SH</u>	Email	addre	ss: .Y FAR	RMS LI	LC						
3.	Phone N The pres Owner of	lumber: sently au f Land -	(uthoriz NA ADDRI) ted plac AME: § ESS: [ce of u SHAFE PO BC	ise is: ER FAI DX 760	—— MILY I 12 HO	FARM: RSES	S LLC HOE E	ΒΑΥ ΤΣ	ss: < 7865		***************************************						
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Sec), Twp.	Range	NE%	NW¼	SW¼	SE¼	NE¼	NW1/4	SW1/4	SE¼	NE%	NW%	SW¼	SE¼	NE%	NW1⁄4	SW¼	SE¼	700130
	If this app Owner of	f Land -	NA ADDRI	AME: <u>!</u> ESS: _	no cha	inge to	acres												
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E			<u></u>	<u></u>		<u>!</u>		<u></u>	<u></u>		<u> </u>		<u>!</u>	च्या	,		,		
	For Offic	e Use	Only:	Code		Fe	e \$ Z	00	TR	#		Re	celpt	Date _	10/1	1/16	Chec	k#	167

5.	Presently authorized point of diversion:				
	One in the Quarter of the	nw	Quarter of the _	ne	Quarter
	of Section, Township	30	South, Range _	31	W,
	in <u>Haskell</u> County, Kansas, <u>5240</u>	_ feet No	rth <u>1870</u> feet West	of Southeast co	rner of section.
ľ	Authorized Rate Authorized Quantity _				
	(DWR use only: Computer ID No. 1 GP:	s	feet North	feet	West)
	☐ This point will not be changed ☐ This point will				
	Proposed point of diversion: (Complete only if change	e is requ	rested)		
	One in the Quarter of the	nw	Quarter of the	ne	Quarter
- 1	of Section, Township	30	South, Range _	31	W,
	in <u>Haskell</u> County, Kansas, <u>5235</u>				
l	Proposed Rate Proposed Quantity				
	This point is: Additional Well Geo Center List of	ther water	r rights that will use this poi	nt	•
-				MM22111 31 1	
6.	Presently authorized point of diversion:				
-	One in the Quarter of the		Quarter of the		Quarter
	of Section, Township		South, Range		(E/W),
	in County, Kansas,	_feet Nor	rth feet West o	of Southeast co	rner of section.
	Authorized Rate Authorized Quantity _		Depth of well	((feet)
	(DWR use only: Computer ID No GPS	s	feet North	feet	West)
- 1	\square This point will not be changed \square This point will	be chang	ged as follows:		
ł	Proposed point of diversion: (Complete only if chang	<u>e is requ</u>	ested)		
	One in the Quarter of the		Quarter of the _		Quarter
	of Section, Township		South, Range _		(E/W),
	in County, Kansas,				
	Proposed Rate Proposed Quantity		Proposed well dep	th (feet)	·
L	This point is: Additional Well Geo Center List of	her water	r rights that will use this poi	nt	
7.	Why do you need a new point of diversion? old well needs to be replaced	13a.	If the proposed point of div feet of the existing point of the diagram below in relatio (PLEASE NOTE: The ") represents presently auth	diversion, indic on to the existing K" in center of orized point of	ate its location on point of diversion. f diagram below
8.	If a well, is the test hole log attached? ☑ Yes ☐ No		100 50 E 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	lorth 0 50	100
9.	When do you propose to complete the new point of diversion?	of	<u>L</u>		=
	october 24, 2016		50 - +	_ + =	======================================
10.	If the point of diversion is a well:		- 10/2-4 OF 7 1 1 1 1 1 1 1	<u>~</u>	J. E
	(a) What are you going to do with the old well?		West 0 - 111 1111		East
	plug		50 - +	= ,	= 50
			30 F +		
	(b) When will this be done? 2016		- .	= .	
	•			<u> † </u>	
11.	Groundwater Management District recommendation attached? \square Yes \boxtimes No	n	100 50 Scale	0 50 South c 1" = 100 '	100
40	Assisted by tem	13b.	If the proposed point of div	ersion will be rel	located more than
12.	Assisted by tpm		100 feet but within 1320 diversion, attach a topografor groundwater sources, swithin one-half mile of the pnames and mailing addresswater sources, show the landowner(s) one-half mile upstream from your property	feet from the aphic map or a show all wells (ir roposed point of sees of the own names and a downstream a	existing point of perial photograph. acluding domestic) diversion and the pers. For surface addresses of the

WFLL LOG

DATE	9/27/2016
DAIL	9/2//2016

Downey Arilina lac	
LEXINGTON, NE	

LEGAL: NWNE 24-308-31W

COUNTY: HASKELL

GPS: <u>37</u> <u>25'</u>

-100 39' 42.0" W

51.8" N

OTHER: BY THE OLD WELL

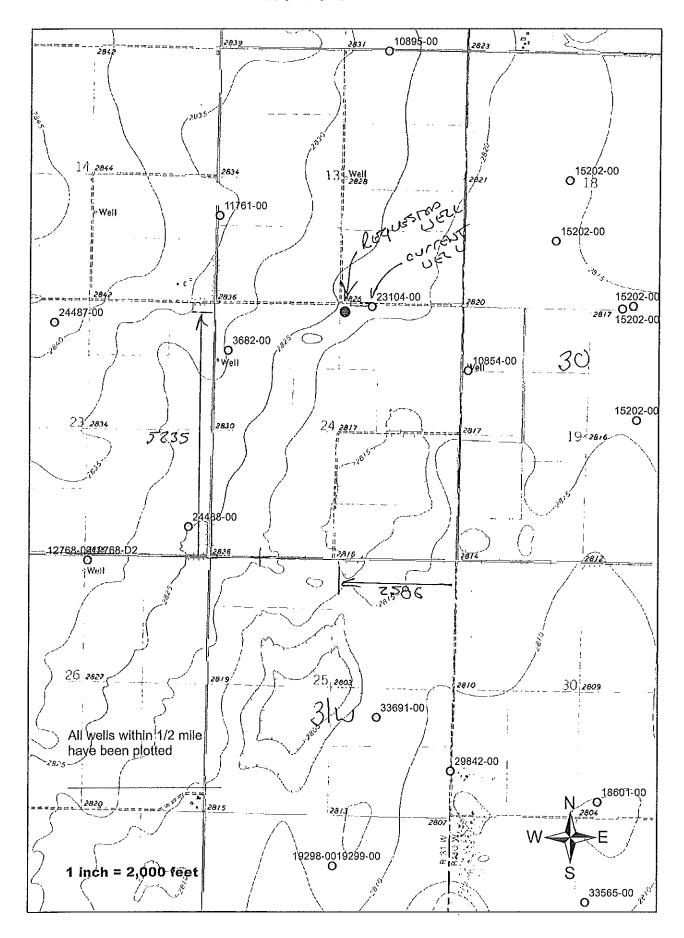
ΤW	FROM	70	ТҮРЕ	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	10	CLAY		RED			SMOOTH
	10	20	LIMEY CLAY AND MAG CLAY		WHITE/ RED			SMOOTH
	20	60	MAG AND LIME	-	RED / WHITE			sмоотн
	60	73	CLAY WITH A TRACE OF COARSE SAND			FAST		
	73	80	FINE-MEDIUM GRAVEL			FAST		
	80	95	FINE GRAVEL AND CLAY STRINGERS			FAST		
	95	100	FINE-MEDIUM GRAVEL			FAST		CHATTER
	100	120	COARSE SAND, FINE GRAVEL, AND SOME LIME		WHITE	FAST		VIBRATION
	120	127	COARSE SAND AND FINE GRAVEL			FAST		
	127	130	CLAY		TAN			SMOOTH
	130	140	COARSE SAND AND FINE GRAVEL			FAST		VIBRATION
	140	160	FINE-MEDIUM GRAVEL			FAST		CHATTER
	160	180	FINE-MEDIUM GRAVEL			FAST		CHATTER
	180	195	CLAY		TAN	FAST		SMOOTH
	195	200	CLAY, COARSE SAND, AND LIME		TAN	SEMI FAST		sмоотн
	200	220	COARSE SAND AND FINE GRAVEL			FAST		CHATTER
_;	220	260	COARSE SAND AND FINE-SOME MEDIUM GRAVEL			FAST		CHATTER
;	260	277	COARSE SAND AND FINE GRAVEL			FAST		
;	277	280	CLAY					SMOOTH
	280	284	LIME	FIRM				_
	284	288	CLAY Shall 292 ty					SMOOTH
2	288	300	COARSE SAND AND FINE GRAVEL	8		FAST		CHATTER
3	300	320	COARSE SAND WITH A LIME LAYER AT 315	20	•	FAST		
3	320 :	340	COARSE SAND	<u> 20</u>		FAST		CHATTER
3	340	360	COARSE SAND AND SOME FINE GRAVEL WITH A LIME LAYER AT 357	20		FAST		CHATTER
3	360 3	380	COARSE SAND	20		FAST.		CHATTER
3	80	386	MEDIUM-COARSE SAND	16		FAST ·		CHATTER
3	86 4		MEDIUM COARSE SAND (CEMENTED) WITH SOME SANDSTONE / CLAY STRINGERS	10	RED	SEMI FAST		/IBRATION
4	100 4	115	FINE SAND, SANDSTONE, AND LIME LAYERS	15		FAST	1	CHATTER / VIBRATION
4	15 4	120	CLAY		BROWN/ RED			SMOOTH
4	20 4	140	SANDY CLAY AND LIMEY CLAY		PINK / WHITE			STEADY
4	40 4	160	SANDY CLAY (LIME)	1	PINK / GRAY			
4	60 4	75	CLAY		PINK / GRAY			
4	75 4	178 I	MEDIUM SAND	.3		FAST		CHATTER
4	78 4	80 (CLAY		BROWN7 TAN			CHATTER

TW	FROM	то	ТҮРЕ	HARDNESS	'OLOR	SPEED	PD	OTHER / DRILLING ACTION
	480	489	CLAY			SLOW		SMOOTH
	489	500	MEDIUM-COARSE SAND	19		FAST		CHATTER
	500	520	SANDY CLAY					
	520	532	CLAY	FIRM		SLOW		
	532	540	SHALE (LOST CIRCULATION) (COLLARS)		BLACK	SLOW		СНОРРУ
-	540	551	SHALE, LYJE LAYERS, AND CLAY	FIRM	BLACK / BLUE	SLOW		СНОРРҮ
	551	555	SAND	4				
	555	560	LIME AND RED BED	FIRM				СНОРРУ
	560	580	RED BED AND SOAPSTONE	FIRM		SLOW		SMOOTH
		600	RED BED	FIRM		SLOW		SMOOTH
	****		USED 5 SACKS QUIK GEL AND 3 CUPS OF SODA ASH					
			1					
			2 SIC HOLEPLUG 1 SIC CASING SEAC TEST HOLE IS PLUGGED					
			1 SK CASING SEAL					
			TEST HOLF IS PLUGGED					
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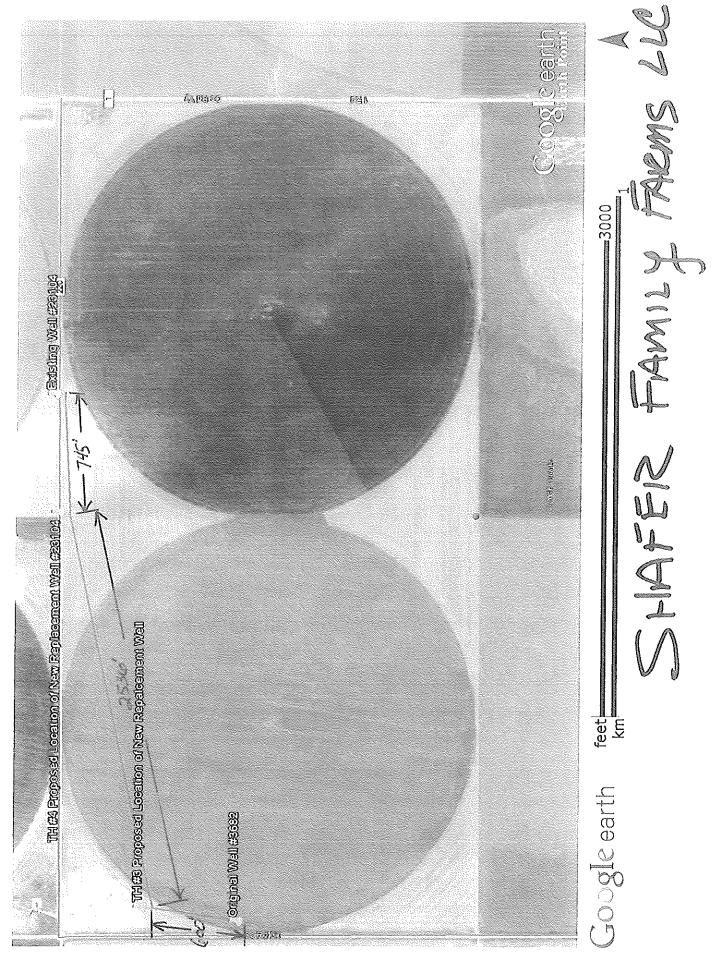


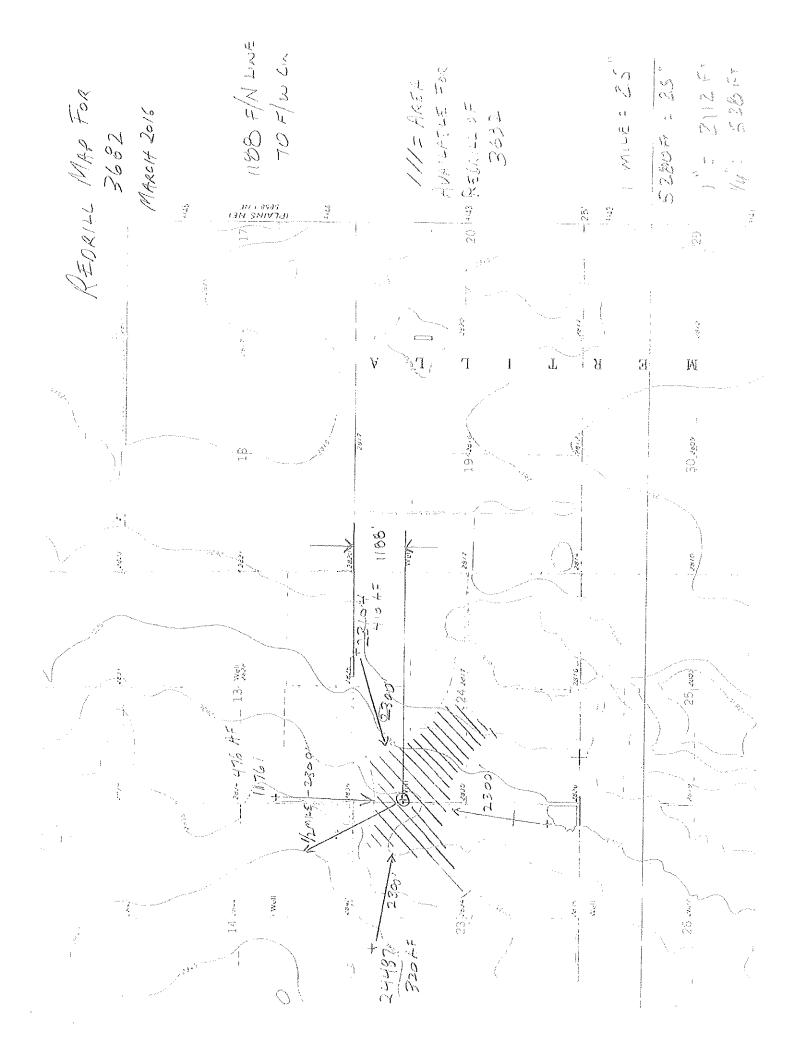
Well Design & Construction

Custom	er Name:	SHAF	ER	FAMILY FARMS, LL	C
Legal:	NW/NW 24-	308-31	W	The state of the s	County: HASKELL
G.P.S.:	37	25'		46.6" N	Date:
	100	40'		18.0" W	WO #:
DRILLER:	Valuation (Control of Control of			The state of the s	WATER SUPPLY: CUSTOMERS WELL
HELPER(S)					DRILLING RIG: M-100
	E DIAMETER	Billio Material Communication) ¹	Language of Marie (1971)	DRILLING METHOD: REVERSE CIRCULATION
	IG DIAMETER				QUIKGEL: TBD HOLE PLUG: 20' +
	WELL DEPTH	Marco Description of the Company of		Annie des Propinsis des Propinsis de la Companya de	GRAVEL: 106 TONS #1 COARSE
	ILLING FLUID	•P000000000000000000000000000000000000			L SUPPLIER: HUBER
	TIONAL INFO	: SWL	29	9°	
GROUT					75. 75. 75. 75. 75. 75. 75. 75. 75. 75.
AND CRAVEL					SCREEN AND
GRAVEL				IRRIGATION WELL	<u>CASING</u>
0' 1" SO	UNDER TUBE		> ∥	I RAIGATION WELL	
0 1 00	ONDERTODE	•	ÍŤ	-	2'
	GROUT / HOLE PLUG	}			
					16" .250 WALL
20'					PLAIN
					STEEL CASING
	GRAVEL				
	PACK		Wat house		
					·
	1" PLAIN PVC				
	SOUNDER TUBE	:			
					320'
					16" JOHNSON
	340'				.080 SLOT
					AGRI-SCREEN
					420'
	1" PERFORATED		TANKS SANS		16" .250 WALL
	SOUNDER TUBE				.100 X 104
					MILL SLOT
					STEEL CASING
					16" JOHNSON
		j		[.080 SLOT
					AGRI-SCREEN
		1			, TOTAL CONCENT
;	SOUNDER TUBE			the similar transfer of the contract of the co	500'
	STOPS AT 480'				16" .250 WALL
	Very OMES.		~*		PLAIN
					STEEL CASING
510'					(SUMP) 510'

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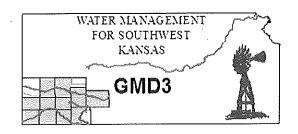


14. If the proposed groundwater point of C. Trsion is 3	on or lewer leet iron	i existing t	ont of arsion, complete	e the following:
(a) Does the undersigned represent all owners of ☐ Yes ☐ No (If no, all owners n	f the currently author nust sign this applica		(s) of use identified in this	application?
 (b) Will the ownership interest of any owner of the affected if this application is approved as required. ☐ Yes ☐ No (If yes, all owners) 		·	e) of use identified in this a	application be adversely
(c) If this application is not approved expeditiousl ☐ Yes ☐ No (If no, all owners m	y, will there be subsi nust sign this applica		age to property, public hea	alth or safety?
If the application proposes a surface water change in p or a change in place of use, the application must be sig agent (attach notarized statement authorizing represen	gned by all owners o			
I hereby verify, being first duly sworn upon m age and the owner, the spouse of the owner, o their behalf, in regard to the water right(s) to contained in this application are true, correct a	or a duly authorize which this appli- and complete	ed agent cation pe	of the owner(s) to ma ertains. I further verify	ke this application or
Dated at HorsesHoe Bay	, Kansas, this _	1/2/4	day of <u>OCTUBER</u>	, 20 <u></u> .
Shalor Frail Form 1 00 Re	lett Stepen			
Dated at HORSESHOE BAY X Shifter Fimily Form LRC Ray (Owner)			(Spouse)	
(Please Print)			(Please Print)	
(Owner)			(Spouse)	
(Please Print)			(Please Print)	
(Owner)			(Spouse)	
(Please Print)			(Please Print)	
TEXAS State of Kansas) SS				
County of <u>LIANO</u>				
1 hereby certify that the foregoing application of the control of	BREND	A LUKE _		e this <u> 1714</u> day of
My Commission Expires <u>(o - 24 - 201</u> 9		124601804 sion Expires 1, 2019	Notary Public	
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. accurate information; maps, if necessary, must be included; signle appropriate fee must be paid.	To be complete, all of gnatures of all the appr	he applicab opriate own	le portions of the application fers' must be affixed to the app	orm must be completed with dication and notarized; and
Each application to change the place of use or the point orth in the schedule below: Make checks payable to: I (1) Application to change a point of diversion 3 (2) Application to change a point of diversion makes (3) Application to change the place of use	Kansas Department 00 feet or less nore than 300 feet	nis section of Agricu	lture	
and the second of the second o				
DWD 1 121 (Paying 06/16/2014)	Page 3			Eile No

SUMMARY ORDER APPI /ING APPLICATION FOR CHANGE /) IMPOSING CONDITIONS

on the topographic map accompanying the application to change the place of use. The change in point of diversion shall not impair existing injoints and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 300_ foot radius of the authorized point(s) of diversion. Applicable Not Applicable Not Applicable Applicable Applicable Not	prov K.A tern	is Summary Order is issued under authority of K.S.A. 82a-7 ovisions of the <i>Kansas Water Appropriation Law, K.S.A.</i> 82a-70 A.R. 5-1-1 et.seq. With the exception of those conditions express ms, conditions and limitations of File No. 23104	of et. seq., and rules and regulations sly contained herein, this Summary 6	s promulgated thereunder, Order does not change the
on the topographic map accompanying the application to change the place of use. A The change in point of diversion shall not impair existing inglists and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 300 foot radius of the authorized perints) of diversion. A property of the point of diversion authorized perints shall not actually be located more than feet from the previously authorized by K.A.R., 5-3-5.6 If the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Expolicable Not Applicable N	1.	A change application was received on Octors (20) diversion authorized under the above-referenced file number be	, <mark>乙016</mark> requesting that the pla e changed as described in the applic	ce of use and / or point of ation.
previously authorized. The point of diversion authorized by this summary order shall be located within a 300 to radius of the authorized perein shall not actually be located more than		on the topographic map accompanying the application to chang	ge the place of use.	Manual Applicable
authorized point(s) of diversion.		previously authorized. The point of diversion authorized by this radius of the authorized point(s) of diversion. Applicable	s summary order shall be located with Not Applicable	hin a 300 foot
tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. "Applicable" 8. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before becember 31, 2017, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. PApplicable Not Applicable Not Applica	4.	The point(s) of diversion authorized herein shall not actually be authorized point(s) of diversion. ☐ Applicable ☑ Not A	located more thanpplicable	feet from the previously
December 31, 2017, or before the first use of water, whichever occurs tirst. I he water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 52a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. Applicable		tube or other device suitable for making water level measurements with K.A.R. 5-6-13. ☐ Applicable ☐ Not Applicable	ents shall be installed, operated and	maintained in accordance
authorized extension of time. By March 1, 2018 the applicant shall notify the Chief Engineer, as required by K.A.R. 5-8-4e. By Applicable Not Applicable Not Applicable Not Applicable Not Applicable 7. The completed well log shall be submitted with the required notice. Applicable Not Applicable 8. The completed well log shall be submitted with the required notice. Applicable Not Applicable 8. The completed well log shall be submitted with the required notice. Applicable Not Applicable 9. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water shall be equipped with an in-line, automatic, and the source of the water shall be equipped with an in-line, automatic, and in-line accordance with K.A.R. 5-3-5c. Applicable Not Applicable Not Applicable Not Applicable check valve(s) shall be installed, operated and manufactured and manufactured in accordance with K.A.R. 5-14-3 the number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the Kansas Water Appropriation right or any other enforcement actions authorized by law. Administrative Appeal and Effective Date of Order You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture, 1320 Research Park Duly Authorized Designee of the Chief Engineer shown on the Certificate of Service attached berefor the date the date the park of the suspension of the Kensas Department of Agriculture, 1320		December 31, 2017, or before the first use of water, whichever and maintained in accordance with K.A.R. 5-1-4 through 5-1-13-5e, the owner shall maintain records and report the reading annually to the Chief Engineer by March 1 following the end of ☐ Applicable ☐ Not Applicable	r occurs first. The water flow meter s 2. As required by K.S.A. 82a-732, a of the water flow meter and the total each calendar year.	snail be installed, operated s amended, and K.A.R. 5-i quantity of water diverted
9. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Sexpipicable Not Applicable 10. Additional Conditions are attached. Yes Not Applicable 11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the Kansas Water Appropriation Law and the Rules and Regulations promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law. Administrative Appeal and Effective Date of Order You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture, Any request for a hearing must be filled with the Chief Engineer, Division of Water Resources Water Resources - Kansas Department of Agriculture, 1320 Research Park Drive, Topeka, Kansas 66502, within 15 dads after the date shown in the Certificate of Service attached serge, if a hearing within the complex of the Chief Engineer shown on the Certificate of Service attached serge, if a hearing within the complex of the Chief Engineer Shown on the Certificate of Service on the 15" day after the date shown. For Use by Register of Deeds State of Kansas Scounty of Figure 12 and 12 a	7.	authorized extension of time. By March 1, 20 <u>18</u> the applicant s diversion has been completed, on the form provided by the Chi	shall notify the Chief Engineer that co ef Engineer, as required by K.A.R. 5	onstruction of the works for -8-4e.
with an in-line, automatic, quick-closing check valve capable of preventing pollution of the Bourse or the Water Supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable \(\) Not Applicable 10. Additional Conditions are attached. \(\) Yes \(\) Not Applicable 10. Additional Conditions are attached. \(\) Yes \(\) Not Applicable 10. Additional Conditions are attached. \(\) Yes \(\) Not Applicable 10. Additional Conditions are attached. \(\) As a samended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with list terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the Kansas Water Appropriation Law and the Rules and Regulations promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law. Administrative Appeal and Effective Date of Order You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be lifed with the Chief Engineer, Division of Water Resources Washas Department of Agriculture, 1320 Research Park DulyAuthorized Designee of the Chief Engineer shown on the Certificate of Service attached Gereto, if a hearing satisfy the part of the Chief Engineer of the Chief				• •
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SUE KEENY NOTIFY My Appointment Expires June 8, 2018			Signature: Sue Kee	
			NOTAPY V	SUE KEENY My Appointment Expires
(Notary Seal)			My commission expires	

File No. _____



South est Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

October 20, 2016

RECEIVED

Thomas P. Makens Division of Water Resources 2508 N Johns Street Garden City, Kansas 67846

OCT 2 1 2016

Garden City Field Office
Division of Water Resources

RE:

Application for Change in Point of Diversion

Water Right, File No. 23,104

Dear Thomas:

We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed distance moved and well spacing is in accordance with K.A.R. 5-23-3. It is therefore recommended that the application be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

Jason L. Norquest Assistant Manager



Garden City Field Office 2508 Johns Street Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary David W, Barfield, Chief Engineer Michael A, Meyer, Water Commissioner Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

October 18, 2016

Southwest Kansas Groundwater Management District No 3 409 Campus Drive, Suite 106 Garden City KS 67846

Re: Water Right file number 23104

Dear Mr. Norquest;

Shafer Family Farms has applied to relocate the well authorized by the above water right number. There in one neighboring well within ½ mile of the requested.

We are delaying action for 15 days on the change application to allow you time to review and provide a recommendation if you feel one is warranted.

Thank you and as always feel free to call or write us at any time.

Sincerely;

Thomas P Makens

TPM:tpm enc